

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

ENTERED

June 28, 2016

David J. Bradley, Clerk

JULIO ADOLFO TORRES,
Petitioner,

VS.

UNITED STATES OF AMERICA,
Respondent.

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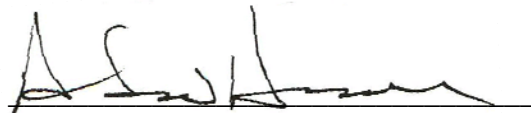
CIVIL NO. B-13-238
(CRIMINAL NO. B-12-303-2)

ORDER

On March 18, 2016, the United States Magistrate Judge filed a Report and Recommendation [Doc. No. 26]. Petitioner has objected [Doc. No. 38] to said Report and Recommendation.

Having considered *de novo* the Magistrate Judge's Report and Recommendation and the issues raised by Petitioner's objections, the Court hereby adopts the Report and Recommendation. Therefore, Julio Adolfo Torres' Motion to Vacate, Set Aside or Correct Sentence Pursuant to 28 U.S.C. § 2255 [Doc. No. 1] is dismissed on the basis that Torres has waived his right to file the instant petition. Alternatively, it is denied as meritless. Further, the issuance of a Certificate of Appealability is denied.

Signed this 28th day of June, 2016.



Andrew S. Hanen
United States District Judge